

TWth

Notice of Allowability

Application No.

10/664,108

Examiner

Debra Wolfe

Applicant(s)

SHERIFF, TIMOTHY W.

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on November 8, 2005.
2. ☒ The allowed claim(s) is/are 1-6,8-12 and 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

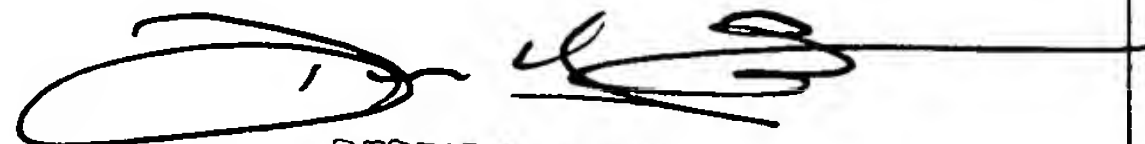
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700



NOTICE OF ALLOWABILITY

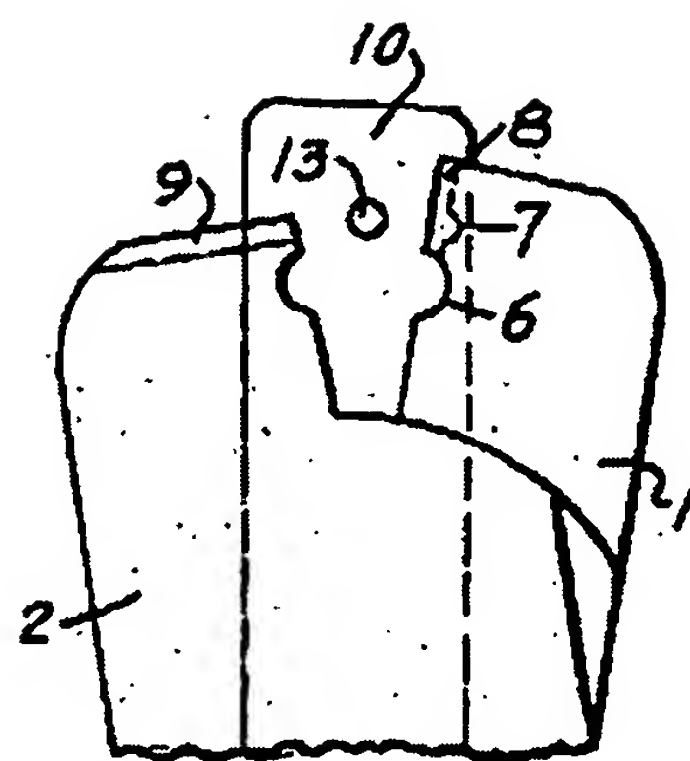
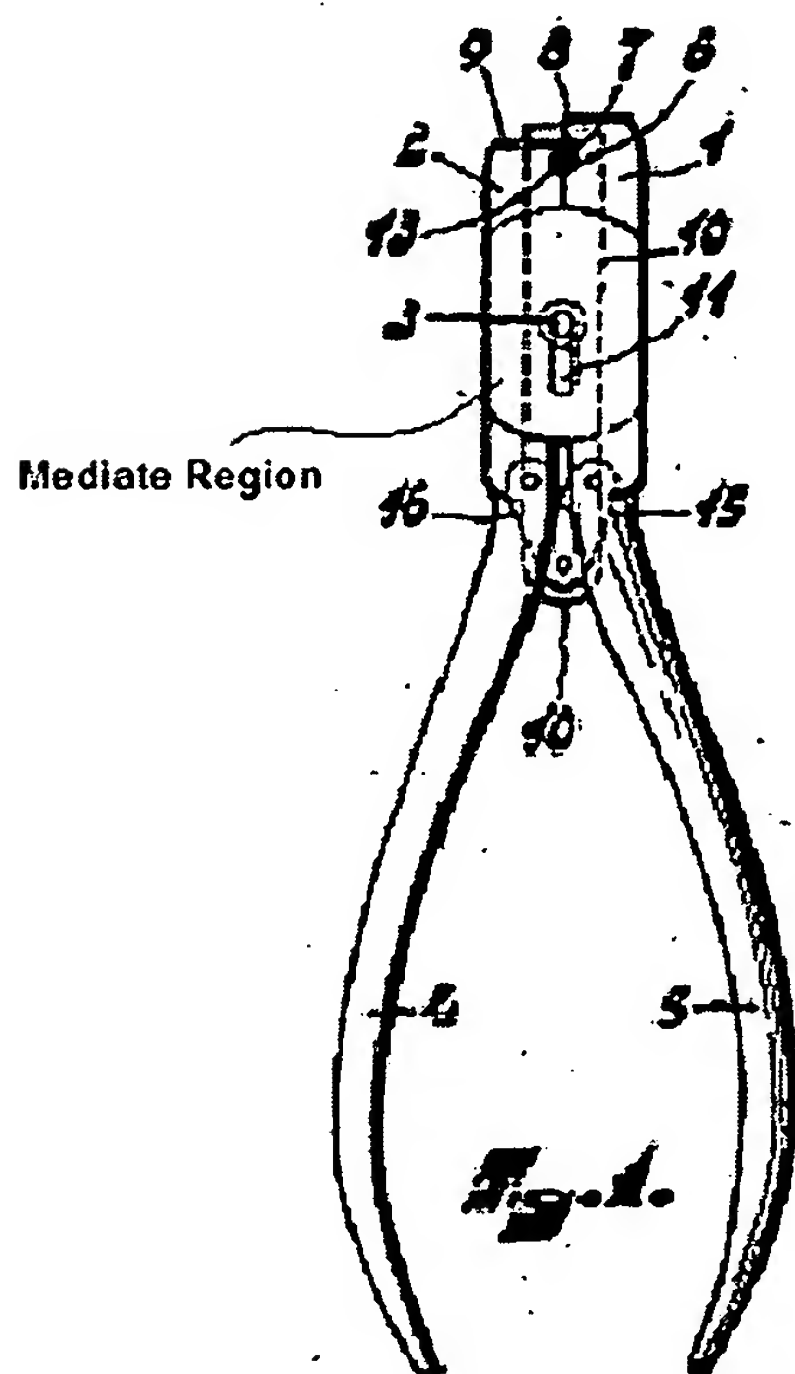
Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

1. It is the opinion of the examiner that the art of record (considered as a whole) neither anticipates nor renders obvious "a link attached solely to the mediate regions of the first and second members, and extending on the same side of the connecting means as the jaws, the link having a post projecting from the link and extending intermediate the jaws for forming wire around the post, wherein the post is free to move both radially towards and away from the connecting means to permit formation of generally circular loops with various gauges of wire" in combination with the rest of the claimed limitations set forth in the independent claim.

Further searching by the examiner yielded additional prior art as follows:

2. Knoester (U.S. Patent # 2,824,583) discloses a loop or eye forming pliers having a first and second member (tongs, See col. 2, line 16) each having a jaw (1, 2), a handle (handles 4, 5) and a mediate region (See FIGS below); a connecting means (common pivot 3) for securing the first and second members together at the mediate region and for permitting pivoting movement between the first and second members while locating the jaws on the same side of the connecting means such that the jaws are opposed to each other and free to move towards and away from each other (See FIGS below); a link (plate 10), attached to the mediate region (See FIGS below) of the first and second members (tongs) and to links (15, 16) thereby allowing a rectilinear movement only (See col. 2, lines 38-41), having a post (core pin 13) projecting from the link (plate 10) and projecting intermediate to the jaws (1, 2) for forming wire around the post.



3. However the above cited prior art fails to disclose a “link attached solely to the mediate region” and “wherein the post is free to move both radially towards and away from the connecting means to permit formation of generally circular loops with various gauges of wire.” Therefore, it is concluded that claim 1 of the present invention is allowable subject matter over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”



Conclusion

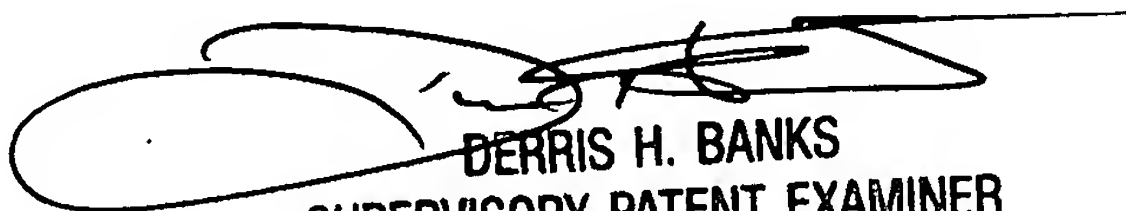
The following prior art is made of record as showing the state of the art of applicant's invention.

1. U.S. Patent # 5,520,227 to Kelley discloses a tool for forming controlled bends in wire, and;
2. U.S. Patent # 3,861,430 to Story discloses a wire forming hand tool

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra Wolfe whose telephone number is (571) 272-1904. The examiner can normally be reached Monday - Friday 6am - 3:30pm with alternating Fridays 6am - 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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